

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND  
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.  
*See* Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

FILED BY CLERK

MAY -2 2012

COURT OF APPEALS  
DIVISION TWO

IN THE COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION TWO

THE STATE OF ARIZONA,	)	2 CA-CR 2012-0079-PR
	)	DEPARTMENT B
Respondent,	)	
	)	<u>MEMORANDUM DECISION</u>
v.	)	Not for Publication
	)	Rule 111, Rules of
WILLIAM AVERY PATTERSON,	)	the Supreme Court
	)	
Petitioner.	)	
_____	)	

PETITION FOR REVIEW FROM THE SUPERIOR COURT OF MARICOPA COUNTY

Cause No. CR2007171910001DT

Honorable Warren J. Granville, Judge

REVIEW GRANTED; RELIEF DENIED

William G. Montgomery, Maricopa County Attorney  
By Andrea L. Keever

Phoenix  
Attorneys for Respondent

William A. Patterson

Buckeye  
In Propria Persona

V Á S Q U E Z, Presiding Judge.

¶1 Petitioner William Patterson seeks review of the trial court’s order dismissing his petition for post-conviction relief, filed pursuant to Rule 32, Ariz. R. Crim. P. “We will not disturb a trial court’s ruling on a petition for post-conviction relief absent a clear abuse of discretion.” *State v. Swoopes*, 216 Ariz. 390, ¶ 4, 166 P.3d 945, 948 (App. 2007). Patterson has not sustained his burden of establishing such abuse here.

¶2 Pursuant to a plea agreement, Patterson was convicted of possession of drug paraphernalia. In September 2008, the trial court imposed a presumptive one-year sentence. In April 2011, Patterson filed a notice of post-conviction relief, asserting without explanation that he was raising claims pursuant to Rule 32.1(e),(f), and (h). The court summarily dismissed his petition.

¶3 On review, in a rather confusing argument, Patterson asserts (1) he is innocent of the crime for which he was convicted, (2) his constitutional rights were violated, (3) he should have been allowed to withdraw from his plea agreement based on his assertion that “state capital police lied about [a] video,” and (4) he was “shocked and bewilder[ed] by” the judge and was “not mentally competent at the time” he signed his plea agreement.

¶4 In a thorough, well-reasoned minute entry order, the trial court correctly determined that Patterson’s untimely petition should be dismissed for failure to comply with the requirements of Rule 32. That order is sufficient to allow this or any other court to review and determine its propriety, and therefore no purpose would be served by restating the court’s ruling in its entirety. *See State v. Whipple*, 177 Ariz. 272, 274, 866

P.2d 1358, 1360 (App. 1993). Rather, we adopt the ruling, and although we grant the petition for review, we deny relief.

/s/ Garye L. Vásquez  
GARYE L. VÁSQUEZ, Presiding Judge

CONCURRING:

/s/ Philip G. Espinosa  
PHILIP G. ESPINOSA, Judge

/s/ Virginia C. Kelly  
VIRGINIA C. KELLY, Judge